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Globalization and interdependence: preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption

Report of the Second Committee*

Rapporteur: Ms. Vanessa **Gomes** (Portugal)

I. Introduction

1. The Second Committee held a substantive debate on agenda item 55 (see A/61/424, para. 2). Action on sub-item (d) was taken at the 24th and 33rd meetings, on 2 November and 6 December 2006. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/61/SR.24 and 33).

II. Consideration of draft resolutions A/C.2/61/L.20 and A/C.2/61/L.53

2. At the 24th meeting, on 2 November, the representative of South Africa, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption" (A/C.2/61/L.20), which read:

"*The General Assembly*,

"*Recalling* its resolutions 54/205 of 22 December 1999, 56/186 of 21 December 2001 and 57/244 of 20 December 2002, and recalling also its

* The report of the Committee on this item will be issued in six parts, under the symbol A/61/424 and Add.1-5.

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resolutions 58/205 of 23 December 2003, 59/242 of 22 December 2004 and 60/207 of 22 December 2005 on preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin,

"*Welcoming* the entry into force on 14 December 2005 of the United Nations Convention against Corruption,

"*Welcoming also* the convening of the first session of the Conference of the Parties to the United Nations Convention against Corruption in Jordan from 10 to 14 December 2006,

"*Reiterating its invitation* to all Member States and competent regional economic integration organizations within the limits of their competence to ratify or accede to and fully implement the United Nations Convention against Corruption as soon as possible,

"1. *Takes note* of the report of the Secretary-General;

"2. *Welcomes* the generous offer of the Government of Indonesia to host the second session of the Conference of the Parties to the United Nations Convention against Corruption in 2007;

"3. *Reaffirms* the commitment to make the fight against corruption a priority at all levels, and welcomes all actions taken in this regard at the national and international levels, including the adoption of policies that emphasize accountability, transparent public sector management and corporate responsibility and accountability, including efforts to return assets transferred through corruption, consistent with the United Nations Convention against Corruption;

"4. *Welcomes* the actions by the private sector, at both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption, calls upon the private sector to continue to make efforts in this regard, takes note with appreciation of the work undertaken by the Global Compact in its consideration of its tenth principle, on anti-corruption, and emphasizes the need for all relevant stakeholders to continue to promote corporate responsibility and accountability;

"5. *Requests* the Secretary-General to submit to the General Assembly at its sixty-second session a report on the implementation of previous resolutions and to elaborate further on the magnitude of corruption at all levels, including the scale of the transfer of assets of illicit origin derived from corruption and the impact of corruption and such transfers on economic growth and sustainable development, as well as the outcome of the first session of the Conference of the Parties to the United Nations Convention against Corruption, and decides to include in the provisional agenda of its sixty-second session, under the item entitled 'Globalization and interdependence', a sub-item entitled 'Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption'."

3. At its 33rd meeting, on 6 December, the Committee had before it a draft resolution entitled "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption" (A/C.2/61/L.53), submitted by the Vice-Chairman of the Committee, Aboubacar Sadikh Barry (Senegal), on the basis of informal consultations held on draft resolution A/C.2/61/L.20.

4. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

5. Also at the same meeting, the Committee adopted draft resolution A/C.2/61/L.53 (see para. 8).

6. After the adoption of the draft resolution, statements were made by the representatives of Finland (on behalf of the States Members of the United Nations that are members of the European Union), South Africa (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Canada and Japan.

7. In the light of the adoption of draft resolution A/C.2/61/L.53, draft resolution A/C.2/61/L.20 was withdrawn by its sponsors.

III. Recommendations of the Second Committee

8. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption

The General Assembly,

Recalling its resolutions 54/205 of 22 December 1999, 56/186 of 21 December 2001 and 57/244 of 20 December 2002, and recalling also its resolutions 58/205 of 23 December 2003, 59/242 of 22 December 2004 and 60/207 of 22 December 2005,

Welcoming the entry into force on 14 December 2005 of the United Nations Convention against Corruption,[1]

Welcoming also the convening of the first session of the Conference of the States Parties to the United Nations Convention against Corruption in Jordan from 10 to 14 December 2006,

1. *Takes note* of the report of the Secretary-General;[2]

2. *Also takes note* of the generous offer of the Government of Indonesia to host the second session of the Conference of the States Parties to the United Nations Convention against Corruption;

3. *Urges* all Member States and competent regional economic integration organizations, within the limits of their competence, to consider ratifying or acceding to the United Nations Convention against Corruption as a matter of priority, and calls upon all States parties to fully implement the Convention as soon as possible;

4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-second session a report, completed within existing resources, on the implementation of previous resolutions that would elaborate further on the magnitude of corruption at all levels and on any scale, and on the scale of the transfer of assets of illicit origin derived from corruption and the impact of corruption and such transfers on economic growth and sustainable development, taking into account the outcome of, and also transmitting the report on, the first Conference of the States Parties to the United Nations Convention against Corruption;

5. *Decides* to include in the provisional agenda of its sixty-second session, under the item entitled "Globalization and interdependence", the sub-item entitled "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption".

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[1] Resolution 58/4, annex.

[2] A/61/177.